

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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SHOW CAUSE HEARING

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IN THE MATTER OF: :  
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Case #14-UD-00010 :  
Miriam's Café, LLC :  
t/a Miriam's Cafeteria :  
3931 14th Street NW :  
License #75536 :  
Retailer CR ANC 4C :  
Failed to Maintain Books & :  
Records :  
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July 16, 2014

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The Alcoholic Beverage Control  
Board met in Alcoholic Beverage Control  
Hearing Room, Reeves Building, 2000 14th  
Street N.W., Washington, D.C., Ms. Ruthanne  
Miller, Chair, presiding.

**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**NICK ALBERTI, Member**

**DONALD BROOKS, Member**

**HECTOR RODRIGUEZ, Member**

**JAMES SHORT, Member**

**MIKE SILVERSTEIN, Member**

P-R-O-C-E-E-D-I-N-G-S

10:02 a.m.

CHAIR MILLER: Next case is Case  
No. 14-AUD-00010 Miriam's Cafeteria, located  
at 3931 14th Street, Northwest, License No.  
75536 and ANC 4C.

MR. STERN: Michael Stern  
representing the District of Columbia.

CHAIR MILLER: Okay, is anybody  
here on behalf of Miriam's Cafeteria?

Okay, not hearing from anyone, do  
you have any comments you need to make, before  
I schedule this for a show cause hearing?

MEMBER RODRIGUEZ: Yes, I'm open  
to whatever the Board decides it would like to  
do, which I should tell you that this is a  
mandatory warning case.

The Respondent did speak with the  
D.C. Attorney General who was assigned. She  
said that she had not received the notice.  
She was going to try to send her manager down  
today. Obviously, that didn't happen.

1 I don't know if the Board wants to  
2 just set this for the show cause on the  
3 warning case or the Board just wants to have  
4 the warning issued.

5 I mean, that's --

6 CHAIR MILLER: Okay, so, as this  
7 is a mandatory warning case, I would recommend  
8 that we -- that the Board just issue a  
9 mandatory warning and that we not schedule  
10 this for show cause.

11 MEMBER RODRIGUEZ: Madam Chair, I  
12 have a concern that the --

13 CHAIR MILLER: Okay.

14 MEMBER RODRIGUEZ: -- Licensee is  
15 not here for this one, and I would like to see  
16 the Licensee either at a show cause or a fact  
17 finding hearing.

18 There are facts presented in this  
19 report that are puzzling to me, troubling, and  
20 I think that the Board needs to have a  
21 discussion with the Licensee.

22 So, if you choose not -- if you

1 choose not to go forward with the show cause,  
2 then I would recommend that we schedule a fact  
3 finding for this, and I'd like to hear from my  
4 other Board Members on how they feel.

5 MEMBER BROOKS: I support the  
6 Board Member with that request.

7 CHAIR MILLER: Fact finding?

8 MEMBER RODRIGUEZ: I concur.

9 CHAIR MILLER: For fact finding?

10 MEMBER BROOKS: Fact finding or  
11 show cause, whichever.

12 MEMBER RODRIGUEZ: Yes, I concur  
13 with Mr. Alberti on his on his position.

14 CHAIR MILLER: Okay, I'm not  
15 clear. I'm not -- I don't recollect where  
16 we've had a show cause hearing for a warning  
17 case.

18 So, I would be in favor in hearing  
19 the sentiment of the Board Members to schedule  
20 a fact finding hearing, if that is amenable to  
21 Board Members, as opposed to show cause  
22 hearing.

1                   But or we can take this under  
2       advisement.

3                   MEMBER BROOKS: I would accept a  
4       fact finding.

5                   CHAIR MILLER: Fact finding?

6                   MEMBER BROOKS: But I think we  
7       need to hear from the Licensee.

8                   CHAIR MILLER: Okay.

9                   MEMBER BROOKS: That's my point.

10                  CHAIR MILLER: Okay, good morning.  
11       Mr. Short has joined us. Any other comments?

12                  Okay, then I guess what I would do  
13       then is we'll then just schedule a fact  
14       finding hearing and dismiss the show cause  
15       hearing.

16                  MEMBER ALBERTI: I'll second that  
17       motion.

18                  CHAIR MILLER: Okay.

19                  MEMBER RODRIGUEZ: Is the owner  
20       here?

21                  CHAIR MILLER: Owner?

22                  MEMBER RODRIGUEZ: Of course, the

1 owner.

2 CHAIR MILLER: Yes, absolutely.

3 Okay, so, all those in favor then, say 'aye'.

4 ALL: Aye.

5 CHAIR MILLER: All those opposed?

6 All those abstaining? Okay, so, the motion

7 passes 4-0-0. Mandatory warning issued and

8 fact finding hearing to be scheduled.

9 (Whereupon, the above-entitled  
10 matter went off the record at 10:06 a.m.)

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<b>A</b> a.m 3:2 7:10 above-entitled 7:9 absolutely 7:2 abstaining 7:6 accept 6:3 advisement 6:2 Alberti 2:12 5:13 6:16 Alcoholic 1:3,17,18 amenable 5:20 ANC 1:11 3:6 anybody 3:9 assigned 3:19 Attorney 3:19 aye 7:3,4	concern 4:12 concur 5:8,12 Control 1:3,17,18 course 6:22 CR 1:11  <b>D</b> D.C 1:20 3:19 decides 3:15 discussion 4:21 dismiss 6:14 District 1:1 3:8 DONALD 2:13  <b>E</b> either 4:16  <b>F</b> fact 4:16 5:2,7,9,10 5:20 6:4,5,13 7:8 facts 4:18 Failed 1:12 favor 5:18 7:3 feel 5:4 finding 4:17 5:3,7,9 5:10,20 6:4,5,14 7:8 forward 5:1  <b>G</b> General 3:19 go 5:1 going 3:21 good 6:10 guess 6:12  <b>H</b> happen 3:22 hear 5:3 6:7 hearing 1:5,19 3:11 3:13 4:17 5:16,18 5:20,22 6:14,15 7:8 HECTOR 2:14  <b>I</b> issue 4:8 issued 4:4 7:7	<b>J</b> JAMES 2:15 joined 6:11 July 1:14  <b>K</b> know 4:1  <b>L</b> License 1:11 3:5 Licensee 4:14,16 4:21 6:7 LLC 1:9 located 3:4  <b>M</b> Madam 4:11 Maintain 1:12 manager 3:21 mandatory 3:17 4:7,9 7:7 matter 1:8 7:10 mean 4:5 Member 2:12,13,14 2:15,16 3:14 4:11 4:14 5:5,6,8,10,12 6:3,6,9,16,19,22 Members 5:4,19,21 met 1:18 Michael 3:7 MIKE 2:16 Miller 1:21 2:11 3:3,9 4:6,13 5:7,9 5:14 6:5,8,10,18 6:21 7:2,5 Miriam's 1:9,10 3:4,10 morning 6:10 motion 6:17 7:6  <b>N</b> N.W 1:20 need 3:12 6:7 needs 4:20 NICK 2:12 Northwest 3:5 notice 3:20	NW 1:10  <b>O</b> Obviously 3:22 Okay 3:9,11 4:6,13 5:14 6:8,10,12,18 7:3,6 open 3:14 opposed 5:21 7:5 owner 6:19,21 7:1  <b>P</b> P-R-O-C-E-E-D-... 3:1 passes 7:7 point 6:9 position 5:13 PRESENT 2:9 presented 4:18 presiding 1:21 puzzling 4:19  <b>Q</b>  <b>R</b> received 3:20 recollect 5:15 recommend 4:7 5:2 record 7:10 Records 1:12 Reeves 1:19 report 4:19 representing 3:8 request 5:6 Respondent 3:18 Retailer 1:11 RODRIGUEZ 2:14 3:14 4:11,14 5:8 5:12 6:19,22 Room 1:19 Ruthanne 1:20 2:11  <b>S</b> schedule 3:13 4:9 5:2,19 6:13 scheduled 7:8 second 6:16	see 4:15 send 3:21 sentiment 5:19 set 4:2 Short 2:15 6:11 show 1:5 3:13 4:2 4:10,16 5:1,11,16 5:21 6:14 SILVERSTEIN 2:16 speak 3:18 Stern 3:7,7 Street 1:10,20 3:5 support 5:5  <b>T</b> t/a 1:10 take 6:1 tell 3:16 think 4:20 6:6 today 3:22 troubling 4:19 try 3:21  <b>U</b>  <b>V</b>  <b>W</b> wants 4:1,3 warning 3:17 4:3,4 4:7,9 5:16 7:7 Washington 1:20 we'll 6:13 we've 5:16 went 7:10 whichever 5:11  <b>X</b>  <b>Y</b>  <b>Z</b>  <b>0</b>  <b>1</b> 10:02 3:2 10:06 7:10
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**14-AUD-00010** 3:4  
**14-UD-00010** 1:9  
**14th** 1:10,19 3:5  
**16** 1:14

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**2000** 1:19  
**2014** 1:14

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**3931** 1:10 3:5

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**4-0-0** 7:7  
**4C** 1:11 3:6

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**75536** 1:11 3:6